**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE ANTONY DOMINIC**

**FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929**

**WP(C).No. 26798 of 2007(M)**

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**PETITIONER:**
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**SEENA LATHEEF @ SUMAYYA LATHEEF,**
**QUARTERS NO.F-31A, K.S.E.B. COLONY, MOOLAMATTOM.**

**BY ADV. SRI.SIVAN MADATHIL**

**RESPONDENTS:**
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1. **KERALA STATE ELECTRICITY BOARD,**
   **VYDHYUTHI BHAVAN, THIRUVANANTHAPURAM,**
   **REPRESENTED BY ITS SECRETARY.**

2. **THE ESTATE OFFICER(DEPUTY CHIEF ENGINEER**
   **ELECTRICAL CIRCLE, THODUPUZHA), K.S.E.B.,**
   **THODUPUZHA.**

3. **THE EXECUTIVE ENGINEER,**
   **GENERATION CIRCLE, K.S.E.B., MOOLAMATTOM.**

4. **THE DISTRICT COLLECTOR**
   **(APPELLATE AUTHORITY), COLLECTORATE, IDUKKI.**

**BY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/09/2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

ANTONY DOMINIC,J

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W.P.(C).No.26798 of 2007

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Dated this the 7th day of September, 2007

JUDGMENT

Ext.P5 is an order passed by the Estate Officer under the Kerala Public Building(Eviction of Unauthorized Occupants) Act 1968. Aggrieved by the said order, invoking the Appellate power of the 4th respondent under Section 10 of the said Act, petitioner has filed Ext.P6 appeal. Along with Ext.P6 appeal, petitioner has also sought stay of implementation of Ext.P5 order of the Estate Officer. It is submitted that during the pendency of the appeal and stay petition, petitioner is sought to be evicted from the premises.

2. Having heard the learned counsel appearing for respondents 1 to 3 also and taking into account the pendency of the statutory appeal and the stay petition before the 4th respondent, I dispose of the writ petition directing the 4th respondent to consider and pass orders on the stay petition filed by the petitioner as expeditiously as possible, at any rate, within a period of one month from the date of receipt of copy of this judgment.

Before orders are passed as above, petitioner shall be given an opportunity of hearing in the matter. Until orders are passed as above, further proceedings pursuant to Ext.P5 shall be kept in abeyance.

ANTONY DOMINIC,JUDGE

dvs